



State of New Jersey

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Department of Environmental Protection
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Robert C. Shinn, Jr.
Commissioner
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October 9, 2001

Honorable Raymond Zane
Senator, District 3
39 South Broad Street
Woodbury, NJ 08096

Dear Senator Zane:

Thank you for your July 6, 2001 letter on behalf of your constituent, Fredrick Reel, regarding his concerns about the Gibbstown levee and floodgates along the Delaware River.

The Gibbstown Levee runs 4.5 miles along the Delaware River in Logan Township and Greenwich Township in Gloucester County, New Jersey. It protects the 21-square-mile Repaupo Creek watershed inhabited by approximately 6,700 residents in the townships of East Greenwich, Greenwich, Harrison, Logan, Mantua and Woolwich.

Constructed over 200 years ago, the levee was repaired in many places in 1962 by the Army Corps of Engineers (Corps) under Public Law 84-99. In September 1967, the Corps performed a reconnaissance study and recommended that the levee be restored to minimize flood potential in the Repaupo Creek watershed from possible failure of the aged and deteriorated Repaupo Creek floodgate and adjacent levee. In November 1969, the Repaupo Meadow Company---the sponsor at that time---notified the Corps of its inability to provide funding and the study was halted in March 1970. In April 1973, the Repaupo Meadow Company formally requested the Corps to reactivate the study, but written assurance of local cooperation was never furnished. In 1976, the study was again terminated. In 1999, the Corps received funding under PL 84-99 to repair the floodgates at Repaupo Creek. This work, completed in February 2000, included replacement of the gates and frames, repairs to the deteriorated concrete, and the addition of trash racks on the Delaware River side.

Because the Repaupo Meadow Company is legally responsible for the gate and levee, the Department has no authority or jurisdiction to direct repairs to these structures, and, therefore, has not been a participant in the Township's efforts to repair these structures. Local municipalities worked through their senatorial and congressional representatives to secure funds to repair these structures. The funding for the repairs undertaken by the Corps is a result of those efforts. Both Greenwich and Logan Townships were sponsors of that project.

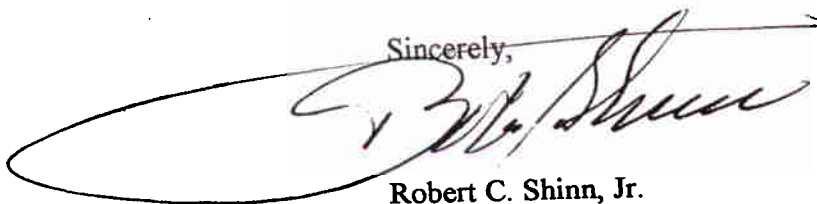
The Corps also received \$100,000 to conduct a feasibility study to consider various combinations of levee raising and nonstructural measures to provide storm protection. However, this study was never undertaken because a) the cost of the feasibility study exceeded the amount of congressional funds authorized for this study, and b) a non-federal sponsor was required but neither the county or local municipalities expressed an interest in cost sharing in this feasibility study. As such, the Corps has taken no action to proceed with this feasibility study. It should be noted that the cost share for a feasibility study is 50% federal and 50% non-federal. The 50% of the non-federal share could be "in-kind" costs such as engineering costs, etc.

It appears that Greenwich and Logan townships chose to work with the USDA, Natural Resource Conservation Service (NRCS) instead of the Corps to develop a plan of action for the levee. DEP has been advised by a representative of the NRCS that Greenwich and Logan townships officials are working with Congressman Robert Andrews to seek funds from NRCS to develop a watershed plan that would identify what structural needs would afford flood protection to the homes within this area.

Moreover, to facilitate funding for this plan Congressman Andrews is currently seeking legislative amendments to the Watershed Protection and Flood Prevention Act (P.L. 83-566) to provide NRCS with jurisdictional authority within this watershed. Presently, the NRCS's jurisdiction is limited to a watershed area less than 250,000 acres. Congressman Andrews is also seeking a congressional appropriation in the FY02 USDA budget that would be earmarked for this plan.

Thank you for sharing your constituent's concerns. Should you need additional information regarding the Corps' past participation, you should contact Brian Mulvenna of the Philadelphia District. Mr. Mulvenna can be reached at 215-656-6599. If you would like additional information from NRCS, you may wish to contact Mr. Joseph DelVecchio at 732-246-1171 Ext. 120.

Sincerely,

A large, stylized handwritten signature in dark ink, likely belonging to Robert C. Shinn, Jr. The signature is written over a large, light-colored oval shape.

Robert C. Shinn, Jr.
Commissioner

- c. Jane Kelly, Assistant Commissioner
Brian Mulvenna
Joseph DelVecchio